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Patent

Attorney Docket No. 1014975-000119

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of ) MAIL STOP  
Stina Roth et al. )  
Application No.: 10/535,442 ) Group Art Unit: 1634  
Filing Date: May 19, 2005 ) Examiner: POHNERT, Steven C  
Title: NUCLEIC ACID PROBES AND ) Confirmation No.: 8832  
BROAD-RANGE PRIMERS FROM )  
REGIONS IN TOPOISOMERASE )  
GENES, AND METHODS IN WHICH )  
THEY ARE USED )

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an Amendment and Reply for the above-identified patent application.

- A Petition for Extension of Time is enclosed.
- Terminal Disclaimer(s) and the  \$ 65  \$ 130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed.
- Also enclosed is/are: \_\_\_\_\_
- Small entity status is hereby claimed.
- Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  \$ 395  \$ 790 fee due under 37 C.F.R. § 1.17(e).
- Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- Applicant(s) previously submitted \_\_\_\_\_ on \_\_\_\_\_ for which continued examination is requested.
- Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	19	20	0	x \$ 50 (1202)	\$ 0
Independent Claims	4	4	0	x \$ 200 (1201)	\$ 0
<input type="checkbox"/> If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$ 0
<b>Total Claim Amendment Fee</b>					\$ 0
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					0
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					\$ 0

Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.

A check in the amount of \_\_\_\_\_ is enclosed for the fee due.

Charge \_\_\_\_\_ to credit card for the fee due. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date November 17, 2006

By:

  
Christopher L. North  
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Patent  
Attorney's Docket No. 1014975-000119

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) **MAIL STOP AMENDMENT**  
Stina Roth et al. )  
Application No.: 10/535,442 ) Group Art Unit: 1634  
Filed: May 19, 2005 ) Examiner: POHNERT, STEVEN C  
For: NUCLEIC ACID PROBES AND ) Confirmation No.: 8832  
BROAD-RANGE PRIMERS FROM )  
REGIONS IN TOPOISOMERASE )  
GENES, AND METHODS IN WHICH )  
THEY ARE USED )

**AMENDMENT AND REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 17, 2006 setting forth a requirement for restriction, Applicants herein provide an election with traverse. Entry of the following amendments and reconsideration of the restriction requirement is respectfully requested.